

PCB EDC 12-02

ORIGINAL

2012

1                                   A bill to be entitled  
2           An act relating to state universities of academic and  
3           research excellence and national preeminence; creating  
4           1001.765, F.S.; providing a short title; establishing  
5           a collaborative partnership between the Board of  
6           Governors of the State University System and the  
7           Legislature to elevate the academic and research  
8           excellence and national preeminence of the highest-  
9           performing state research universities; authorizing a  
10          state research university that meets specified  
11          criteria, verified by the Board of Governors, to  
12          establish student tuition and fees at differentiated  
13          and market rates; providing certain conditions for  
14          implementing tuition and fee increases; establishing  
15          academic and research excellence standards for state  
16          universities of national preeminence; specifying  
17          requirements relating to debt service obligations;  
18          establishing procedures to obtain certain budget  
19          authorization for the 2012-2013 fiscal year;  
20          establishing procedures for institutional legislative  
21          budget requests for certain tuition and fee increases;  
22          authorizing state universities of national preeminence  
23          to establish required courses for certain students;  
24          encouraging the Board of Governors to identify, grant,  
25          and recommend flexibilities to achieve goals and  
26          improve the national rankings of programs of  
27          excellence; requiring the Board of Governors to  
28          oversee implementation; providing an effective date.

Page 1 of 6

PCB12-02.EDC.Bill Text.docx

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

V

29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1001.765, Florida Statutes, is created to read:

1001.765 State universities of academic and research excellence and national preeminence.-

(1) This section may be cited as the "State Universities of Academic and Research Excellence and National Preeminence Act".

(2) A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research excellence and national preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. Specifically, the governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(3) (a) Beginning with the 2012-2013 academic year, a state research university that has substantially met at least 11 of the academic and research excellence standards identified in subsection (4), as verified by the Board of Governors, may

57 establish student tuition and fees at differentiated and market  
 58 rates in addition to the tuition differential fee,  
 59 notwithstanding the percentages and dollar amount limitations in  
 60 s. 1009.24, as approved by the university's board of trustees  
 61 and the Board of Governors. Tuition and fee increases may occur  
 62 no more than once each academic year and must be implemented  
 63 beginning with the fall term.

64 (b) A qualified beneficiary having a prepaid advance  
 65 payment contract pursuant to s. 1009.98(2)(b) that was in effect  
 66 prior to the first year a state university receives tuition and  
 67 fee authority under this subsection, and that remains in effect,  
 68 is exempt from the payment of any increase to tuition and fees  
 69 assessed pursuant to this subsection. A qualified beneficiary  
 70 having a prepaid advance payment contract pursuant to s.  
 71 1009.98(2)(b) that is entered into the first year a state  
 72 university receives tuition and fee authority under this  
 73 subsection, or thereafter, is liable for the difference between  
 74 the highest rate of tuition and fees covered by the advance  
 75 payment contract and the tuition and fees assessed pursuant to  
 76 this subsection by the state university the student attends.

77 (4) Academic and research excellence standards for state  
 78 universities of national preeminence are:

79 (a) An average weighted grade point average of 3.8 or  
 80 higher on a 4.0 scale and an average SAT score of 1800 or higher  
 81 for fall semester incoming freshman, as reported annually.

82 (b) A top 50 ranking on at least two well-known and highly  
 83 respected national public university rankings, reflecting  
 84 national preeminence, using most recent rankings.

85 (c) A freshman retention rate of 90 percent or higher for  
 86 full-time first-time-in-college students, as reported annually  
 87 to the Integrated Postsecondary Education Data System (IPEDS).

88 (d) A 6-year graduation rate of 70 percent or higher for  
 89 full-time first-time-in-college students, as reported annually  
 90 to the IPEDS.

91 (e) Six or more faculty members at the state university  
 92 who are members of a national academy, as reported annually by  
 93 the Center for Measuring University Performance for the Top  
 94 American Research Universities (TARU).

95 (f) Total annual research expenditures, including federal  
 96 research expenditures, of \$200 million or more, as reported  
 97 annually by the TARU.

98 (g) Total annual research expenditures in diversified  
 99 nonmedical sciences of \$100 million or more, based on data  
 100 reported annually by the National Science Foundation (NSF).

101 (h) A top 100 public university national ranking for  
 102 research expenditures in five or more science, technology,  
 103 engineering, or mathematics fields of study, as reported  
 104 annually by the NSF.

105 (i) One hundred or more total patents awarded for the most  
 106 recent 3-year period, as reported annually to the IPEDS.

107 (j) Two hundred fifty or more doctoral degrees awarded  
 108 annually, as reported by the TARU.

109 (k) Two hundred or more post-doctoral appointees annually,  
 110 as reported by the TARU.

111 (l) A national quality ranking higher than predicted based  
 112 on available financial resources rankings, as reported annually

113 by U.S. News and World Report.

114 (m) An endowment of \$400 million or more, as reported  
 115 annually by the TARU.

116 (n) Annual giving of \$50 million or more, as reported  
 117 annually by the TARU.

118 (5) Fees collected pursuant to s. 1009.24 that are used to  
 119 pledge or secure revenue bonds or to secure debt shall be  
 120 maintained at the appropriate level to meet all debt service  
 121 obligations of the university.

122 (6) (a) For the 2012-2013 fiscal year, a state university  
 123 that substantially meets the requirements of subsection (3), as  
 124 of February 1, 2012, shall submit to the Board of Governors, no  
 125 later than May 31, 2012, the university's proposal for  
 126 increasing tuition and fee rates for the 2012-2013 academic year  
 127 as provided for in this section. Upon approval of the  
 128 university's proposal, the Board of Governors shall request an  
 129 amendment to increase the budget authority in the Education and  
 130 General Student and Other Fees Trust Fund necessary to  
 131 accommodate the additional tuition and fee revenues generated by  
 132 the university's approved rates. Notwithstanding the \$1 million  
 133 limitation on increases to an approved operating budget  
 134 contained in ss. 216.181(11) and 216.292(3), a budget amendment  
 135 exceeding that dollar amount is subject to notice and objection  
 136 procedures set forth in s. 216.177.

137 (b) A state university that substantially meets the  
 138 requirements of subsection (3) shall annually submit to the  
 139 Board of Governors, no later than May 31, the university's  
 140 tuition and fee rate proposal as provided for in this section.

141 Upon approval of the university's proposal, the Board of  
 142 Governors shall request, in the board's annual legislative  
 143 budget request, budget authority in the Education and General  
 144 Student and Other Fees Trust Fund necessary to accommodate  
 145 tuition and fee revenues generated by the university's approved  
 146 rates.

147 (7) In order to provide a jointly shared educational  
 148 experience, a state university that has substantially met the  
 149 requirements of subsection (3) may require its incoming first-  
 150 time-in college students to take a nine-to-twelve-credit set of  
 151 courses specifically determined by the state university. The  
 152 state university may require that this set of courses be taken  
 153 at the state university and may stipulate that credit for such  
 154 courses may not be earned through any acceleration mechanism,  
 155 pursuant to s. 1007.27 or s. 1007.271, or other transfer credit.

156 (8) The Board of Governors is encouraged to identify and  
 157 grant additional authority and flexibilities as may be  
 158 appropriate to achieve state university and State University  
 159 System goals. In addition, the Board of Governors is encouraged  
 160 to identify state university programs of academic and research  
 161 excellence and make recommendations to the Legislature for  
 162 flexibilities designed to move those programs higher in  
 163 appropriate nationally recognized rankings.

164 (9) The Board of Governors shall oversee implementation of  
 165 this section.

166 Section 2. This act shall take effect upon becoming a law.